

LEGAL DEFENSE BENEFIT



MEMBERSHIP
BENEFITS PROGRAM

(518) 785-1900 or (800) 342-4306, ext. 243
pefmbp.com

ABOUT THE LEGAL DEFENSE BENEFIT

The PEF Membership Benefits Program (PEF MBP) provides the Legal Defense Benefit to active, dues-paying members of PEF, charged with a crime that was committed while working during the course of employment in a PS&T unit position. This benefit provides such members with a cash benefit to help defray the cost of legal fees and retainer agreements associated with the defense of the crime charged.

LEGAL DEFENSE FEATURES

The Legal Defense Benefit includes the following cash benefits:

- Up to a \$2,000 cash benefit when the most serious charge is a misdemeanor.
- Up to a \$5,000 cash benefit when the most serious charge is a felony.

The Legal Defense Benefit, provided by the PEF Membership Benefits Program, will pay no more than \$200,000 aggregate per calendar year, to all beneficiaries of this benefit.

LEGAL DEFENSE BENEFIT TERMS & CONDITIONS

The following conditions must exist in order for an active, dues-paying member to take advantage the cash benefit.

- The arrest must be for a crime committed while working, during the course of employment in a PS&T unit position.
- The charge against you must be a crime as defined by the New York State Penal Law.
- You must be working at the time of the alleged crime and not on break or leave when the incident occurred.
- You are only eligible for one benefit per incident, regardless of the number of crimes charged against you, per incident. (An incident is any given set of facts and circumstances that lead to criminal charges being filed against you.) If additional charges are subsequently filed against you for the same set of facts, no new benefit will be payable.
- You are only eligible for one (1) benefit payment per calendar year, regardless of how many times in any calendar year you have been charged with a crime, and regardless of how many incidents you are involved in during the course of a calendar year.
- If charged with a crime(s), the most serious of which is a misdemeanor, you are eligible for a \$2,000 cash benefit.
- If charged with a crime(s), the most serious of which is a felony, you are eligible for a \$5,000 cash benefit.
- If you receive the \$2,000 cash benefit for being charged with

a misdemeanor and are then subsequently charged with a felony for the same incident, the \$3,000 difference between the misdemeanor cash benefit and felony cash benefit will be paid to you.

- The PEF Membership Benefits Program, in its sole discretion, will determine if the facts surrounding the incident occurred during the course of employment. In the event that your claim is denied by PEF MBP, you may file an appeal request directly with the Trustees of the PEF Membership Benefits Program. Appeal requests must be received by PEF MBP within 30 days of the claim denial date. All appeal decisions made by the PEF Membership Benefits Program Trustees are final and binding on all parties.
- The maximum aggregate amount of cash benefit paid to all beneficiaries under the Legal Defense Benefit in a calendar year is \$200,000. If PEF MBP reaches the aggregate maximum benefit amount of \$200,000 per calendar year, no further cash benefits are paid in that calendar year. Any member denied a benefit due to PEF MBP reaching its annual aggregate maximum payment, can submit the request the next calendar year, provided the Legal Defense Benefit program is continued.
- The PEF Membership Benefits Program reserves the right to discontinue the Legal Defense Benefit at any time, without notice to any party.
- PEF members must seek reimbursement of any reasonable attorney's fees from the State of New York pursuant to Article 37 of the PEF/State of New York Collective Bargaining agreement and Public Officers Law Section 19. In addition, PEF members are required to reimburse the PEF Membership Benefits Program if such attorneys' fees are reimbursed.

TO QUALIFY FOR THE BENEFIT

PEF members must meet the following conditions:

1. Must be an active, dues-paying PEF member:
 - at the time of the alleged incident
 - at the time of the arrest
 - at the time of the payment of the benefit
2. PEF members must also provide the following:
 - Proof of the arrest provided in the form of any, or all of the following: a copy of the ticket(s), criminal complaint(s), charge(s), or other supporting materials requested by the PEF Membership Benefits Program.
 - Proof that you have paid and retained an attorney to represent you in the incident (i.e., copy of an attorney's

retainer agreement which includes the fees you will be charged for representation), along with proof of payment.

- Proof you were working at the time of the alleged incident. Documents may include, but are not limited to, copies of time sheets.
- Forms requested by the PEF Membership Benefits Program for payment of the benefit.

Consult with your tax advisor on the taxability of this benefit.

For more information, contact the PEF Membership Benefits Program at (518) 785-1900 or (800) 342-4306, ext. 243, option 2.

To submit a claim, visit pefmbp.com, complete the Authorization to Obtain & Release Information form, as well as the Legal Defense Benefit Application. Download and sign both forms and email your forms to mbinsurance@pef.org or mail to:

PEF Membership Benefits Program
10 Airline Drive, Suite 101
Albany, NY 12205

Other legal benefits made available through the PEF Membership Benefits Program:

- PEF MBP Discharge of Official Weapon Benefit
- PEF MBP Justice Center Benefit
- PEF MBP Voluntary Legal Service Plan

Visit pefmbp.com for details.



Scan to learn more about the Legal Defense benefit.



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